


ORDERED.

Dated: February 07, 2017


Caryl E. Delano
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
www.flmb.uscourts.gov**

Case No. 9:16-BK-08283-FMD
Chapter13

In re:

Maurice McLaughlin
Debtor.¹

ORDER GRANTING MOTION TO DISMISS CHAPTER 13 CASE
(THE ORDER IS EFFECTIVE ON THE 15TH DAY FOLLOWING DATE OF ENTRY)

THIS CASE came on consideration for the purpose of the entry of an appropriate Order following the entry of an Order Reserving ruling on Trustee's Motion to Dismiss for Failure to Make Plan Payments and Granting Period to Cure Default entered on January 11, 2017 (Doc #31). By submission of this Order Dismissing the Chapter 13 case, the Trustee advises the Court that the Debtor¹ failed to comply with the Order, it is therefore

ORDERED:

1. The Motion to Dismiss is granted.
2. This case is DISMISSED without prejudice.
3. The Trustee shall return to the Debtor any remaining funds on hand not previously disbursed, notwithstanding any other court orders, and shall thereafter file his final

¹ All references to "Debtor" include and refer to both of the Debtor in a case filed jointly by two individuals.

report, upon which filing, he will be discharged of his duties as Trustee. The Trustee shall return the aforementioned funds on hand to the Debtor, in care of the Debtor's attorney, when represented by an attorney.

4. The Debtor, the Trustee, or any party in interest, may, within 14 days from the date of this Order, request the Court to examine the fees paid to Debtor's attorney and request disgorgement of any portion deemed excessive. The Court shall retain jurisdiction for this purpose.

5. The Debtor(s) may convert this case to a case under another chapter of the Bankruptcy Code within 14 days of the date of this Order. If the case is not converted within 14 days, the case is dismissed effective on the 15th day after the date of entry of this Order.

6. If the automatic stay imposed by 11 U.S.C. § 362(a) or § 1301 is in effect at the time this Order is entered, the stay is extended 14 days from the date of this Order, notwithstanding the provisions of 11 U.S.C. § 362(c)(2)(B).

7. All pending hearings are canceled with the exception of any scheduled hearing on a Motion for Relief from Stay or on an Order to Show Cause over which the Court reserves jurisdiction.

Chapter 13 Trustee, Jon M. Waage is directed to serve a copy of this order on interested parties who are non-CM/ECF users and file a proof of service within 3 days of entry of the order.

JMW/lwl

C13T 2/6/2017